CCRB INVESTIGATIVE RECOMMENDATION

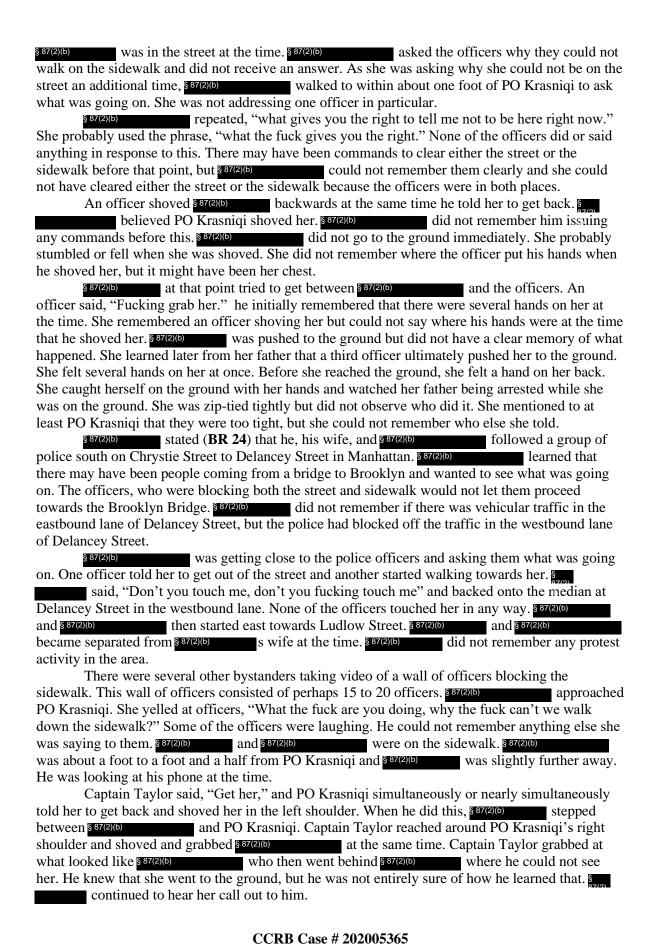
Investigator:		Team:	CCRB Case #:	▼ Fo	rce	$\overline{\mathbf{V}}$	Discourt.		U.S.
Kelly Lyon		Squad #11	202005365	— ☑ Al		_	O.L.	_	Injury
		1							J J
Incident Date(s)		Location of Incident:		Prec	inct:	18 1	Mo. SOL	E	OSOL
Saturday, 07/25/2020 9:00 PM		Ludlow Street and Dela 7th Precinct stationhou			07	1/2	25/2022	5/4	4/2022
Date/Time CV Reported		CV Reported At:	How CV Reported	: Da	te/Time	Recei	ived at CCI	RB	
Thu, 07/30/2020 5:14 PM		CCRB	On-line website	Th	u, 07/30	/2020	5:14 PM		
Complainant/Victim	Type	Home Addre	ess						
Witness(es)		Home Addre	ess						
Subject Officer(s)	Shield	TaxID	Command						
1. Officers									
2. POM Driton Krasniqi	01161	949184	SRG 5						
3. An officer									
4. CPT Joseph Taylor	00000	924542	SRG 3						
Witness Officer(s)	Shield N	o Tax No	Cmd Name						
1. POM Joseph Licata	06437	954065	SRG 4						
2. POM Stan Nova	06442	954179	PSA 1						
3. POM Leonel Giron	21368	959658	SRG 1						
4. POM Gregory Acerra	06077	952380	SRG 5						
Officer(s)	Allegatio	on			Inve	stiga	tor Recon	nmen	dation
A.POM Driton Krasniqi		olice Officer Driton Kras 87(2)(b) § 87(2)(b)	sniqi used physical f	force					
B. An officer		esy: At Ludlow Street ar an, an officer spoke disco		n					
C.CPT Joseph Taylor		t Ludlow Street and Del Joseph Taylor used phys							
D. Officers		t Ludlow Street and Delused physical force again		hattan,					

Officer(s)	Allegation	Investigator Recommendation
E.POM Driton Krasniqi	Force: At Ludlow Street and Delancey Street in Manhattan, Police Officer Driton Krasniqi used physical force against \$87(2)(b)	
F. An officer	Force: At Ludlow Street and Delancey Street in Manhattan, an officer struck § 87(2)(b) with a baton.	
G.CPT Joseph Taylor	Discourtesy: At Ludlow Street and Delancey Street in Manhattan, Captain Joseph Taylor spoke discourteously to \$87(2)(b)	
H. An officer	Abuse: At Ludlow Street and Delancey Street in Manhattan, an officer damaged [87(2)(b)] s property.	
I. An officer	Abuse: At the 7th Precinct stationhouse in Manhattan, an officer did not obtain medical treatment for \$87(2)(b) \$87(2)(b)	

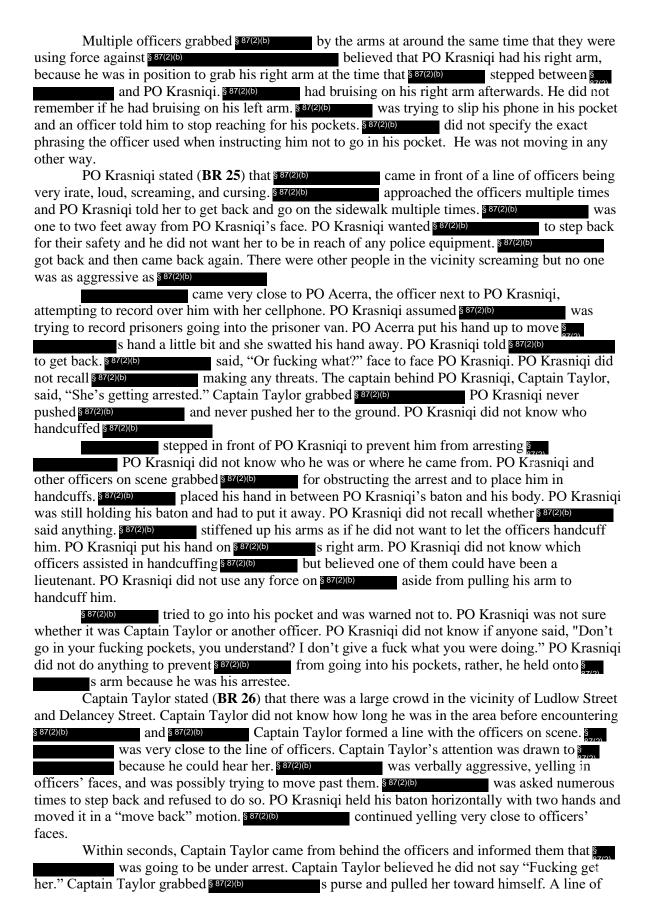
Case Summary

On July 30, 2020, an \$87(2)(b) complainant filed this complaint with the CCRB online. This complaint was originally assigned to Supervising Investigator Miriam Lynch and was reassigned to Investigator Kelly Lyon on November 8, 2021, due to SI Lynch's departure from the CCRB. On July 25, 2020, at approximately 9:00 p.m., in the vicinity of Ludlow Street and Delancey Street in Manhattan, § 87(2)(b) and her father, § 87(2)(b) observing a protest that was about to occur. PO Stan Nova of Police Service Area 1, PO Leonel Giron of Strategic Response Group (SRG) 1, Captain Joseph Taylor of SRG 3, PO Joseph Licata of SRG 4, and PO Gregory Acerra and PO Driton Krasniqi of SRG 5 were present along with numerous additional officers. walked up to the officers and stood one foot away from PO Krasnigi and PO Acerra and asked what was going on. PO Krasniqi pushed \$87(2)(6) **back** (Allegation and the officers. An officer said, "Fucking grab her," (Allegation B: Discourtesy, §87(2)(9)). Captain Taylor and pulled her (Allegation C: Force, §87(2)(g) Officers pushed to the ground (Allegation D: Force, § 87(2)(g)). PO Krasniqi grabbed allegedly causing bruising to his arm (Allegation E: Force, \$87(2)(g) An officer). § 87(2)(b) jabbed § 87(2)(b) with a baton (Allegation F: Force, § 87(2)(g) attempted to put his phone into his pocket and Captain Taylor told him "Don't go in your fucking pockets, you understand? I don't give a fuck what you were doing. Put your hands behind your back and shut up" (Allegation G: Discourtesy, \$87(2)(g) s phone fell from his hand and an officer allegedly stepped on it causing the screen protector to crack (Allegation H: Abuse of Authority, § 87(2)(g) and § 87(2)(b) were transported to the 7th Precinct stationhouse for arrest processing. At the 7th Precinct stationhouse, § 87(2)(b) was bleeding on the fingerprinting machine from her finger. §87(2)(b) requested medical attention for her finger and did not receive any (Allegation I: Abuse of Authority, \$87(2)(9) and § 87(2)(b) were eventually released. This incident resulted in § 87(2)(b) s and § 87(2)(b) s arrests for obstructing governmental administration and disorderly conduct. Several others were arrested in the general vicinity; however, their arrests were unrelated to this complaint. The investigation received nine cellphone videos (BR 01, BR 02, BR 03, BR 04, BR 05, BR 06, BR 07, BR 08, and BR 09; videos and BR 10; summaries) and 11 body-worn camera videos (BR 11, BR 12, BR 13, BR 14, BR 15, BR 16, BR 17, BR 18, BR 19, BR 20, and BR 21; videos and BR 22; summaries). **Findings and Recommendations** Allegation (A) Force: Police Officer Driton Krasniqi used physical force against § 87(2)(b) Allegation (C) Force: At Ludlow Street and Delancey Street in Manhattan, Captain Joseph Taylor used physical force against § 87(2)(b) Allegation (E) Force: At Ludlow Street and Delancey Street in Manhattan, Police Officer Driton Krasnigi used physical force against § 87(2)(b) Allegation (G) Discourtesy: At Ludlow Street and Delancey Street in Manhattan, Captain Joseph Taylor spoke discourteously to § 87(2)(b) It was undisputed that § 87(2)(b) was screaming in officers' faces prior to being arrested. § 87(2)(b) put himself in-between § 87(2)(b) and officers prior to his arrest. stated (BR 23) that she heard that there were protestors coming from the Williamsburg Bridge and wanted to observe that protest. §87(2)(b) and §87(2)(b) to Delancey Street, where they saw lines of many officers obstructing the sidewalk.

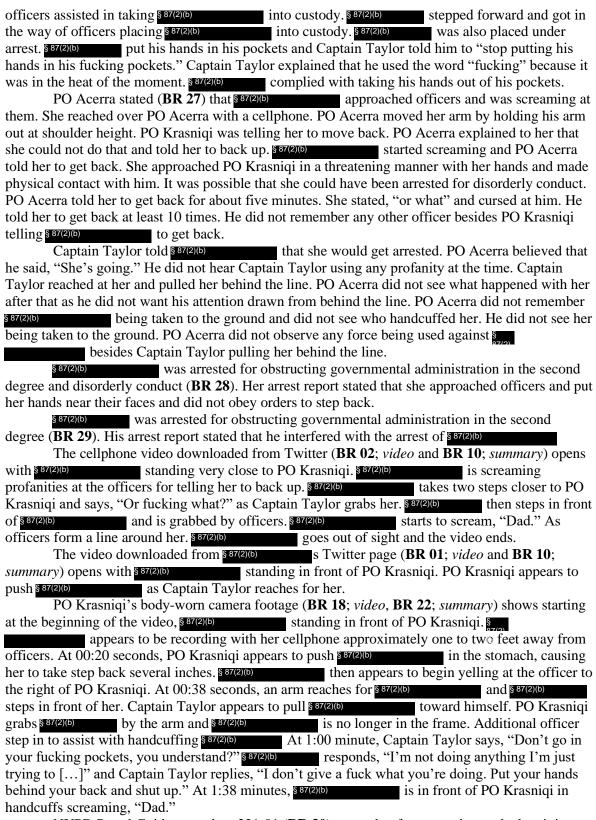
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NYPD Patrol Guide procedure 221-01 (**BR 30**) states that force may be used when it is reasonable to place a person in custody or to prevent escape from custody. Any application of force must be reasonable under the circumstance and the following should be considered in

determining whether it is reasonable: The nature and severity of the crime/circumstance, actions taken by the subject, duration of the action, immediacy of perceived threat or harm to the subject, MOS, or bystanders, whether the subject is actively resisting custody, whether the subject is attempting to evade arrest by flight, number of subjects in comparison to number of MOS, size, age, and condition of subject compared to that of the MOS, subject's violent history, presence of hostile crowd or agitators, and whether the subject is apparently under the influence of stimulants/narcotics.

New York State Penal Law § 240.20 (**BR 31**) states that a person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm, obstructs vehicle traffic or congregates with other persons in a public place and refuses with a lawful order of the police to disperse.

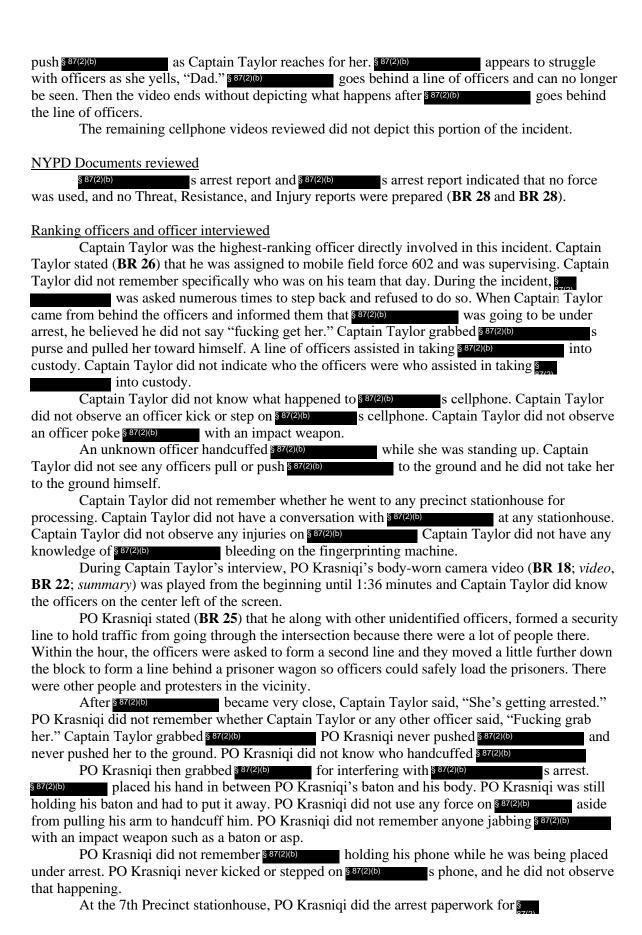
New York State Penal Law § 195.05 (**BR 32**) states that a person is guilty of obstructing governmental administration when they intentionally obstruct, impair, or pervert the administration of law or other governmental function by means of intimidation, physical force, or interference.

NYPD Patrol Guide procedure 200-02 (**BR 33**) states that officers are to respect the dignity of each individual and render services with courtesy and civility.

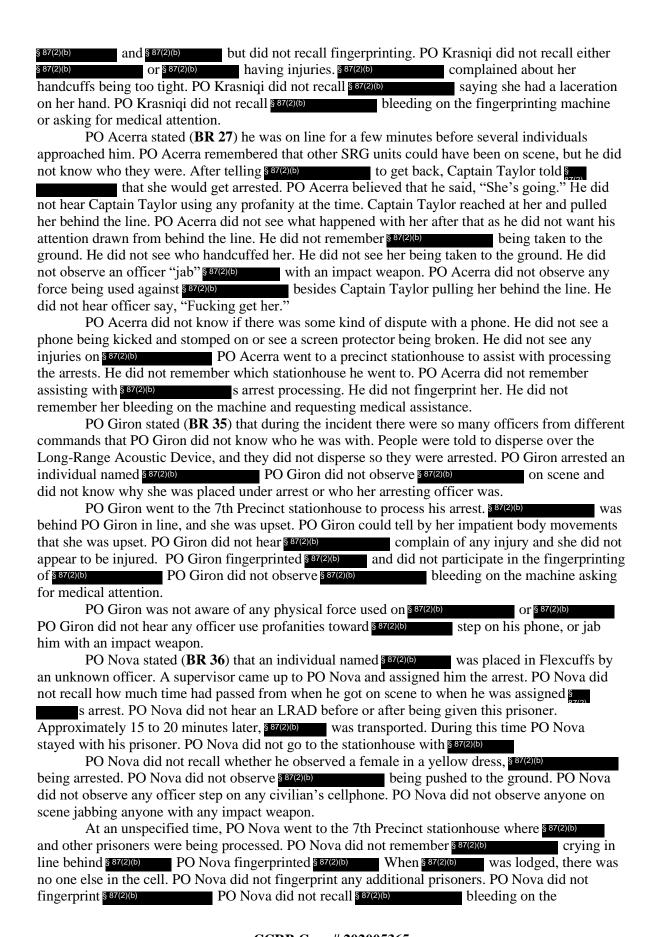
In DAO-DCT Case Number: 2015-15012 (**BR 34**), the court held that an officer is not permitted to use profanity when the profanity serves no legitimate purpose but to belittle the civilian.

§ 87(2)(b), § 87(2)(g)	
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\$ 87(2)(b), \$ 87(2)(b) \$ 87(2)(g)	21/61
8 01/2/10), 8 01/2/18)	
8 87/2\/h\	
\$ 87(2)(b), \$ 87(2)(g)	·
	\$ 87/2\/h\
Allegation (B) Discourtesy: At Ludlow Street and Delancey Str	eet in Manhattan, an officer
spoke discourteously to \$87(2)(b)	, , , , , , , , , , , , , , , , , , , ,
Allegation (D) Force: At Ludlow Street and Delancey Street in	Manhattan, officers used
physical force against § 87(2)(b)	
Allegation (F) Force: At Ludlow Street and Delancey Street in	Manhattan, an officer struck
with a baton.	,
Allegation (H) Abuse of Authority: At Ludlow Street and Delai	ncey Street in Manhattan, an
officer damaged § 87(2)(b) s property.	_
Allegation (I) Abuse of Authority: At the 7th Precinct stationho	ouse in Manhattan, an officer
did not obtain medical treatment for \$87(2)(b)	
Known facts and general descriptions	
· · · · · · · · · · · · · · · · · · ·	got in-between her and the
officers, she heard Captain Taylor say, "Fucking grab her." She rer	nembered Captain Taylor
shoving her but could not say where his hands were at the time that	
was pushed to the ground but did not have a clear memory of what	
from her father that a third officer ultimately pushed her to the grou	
unable to describe this officer. She felt a number of hands on her at	
ground, she felt a hand on her back. She caught herself on the grou	nd with her hands and watched

her father being arrested while she was on the ground. She was zip-tied tightly but did not observe who did it. was able to see an officer kicking and stepping on her father's cellphone. She saw the officer kick the phone over to the curb and step on it once or multiple times. She believed that the screen was shattered at the time, but later learned that only a screen protector was broken. A police van took § 87(2)(b) to the 7th Precinct stationhouse in Manhattan. was placed in a cell with one other person. While \$87(2)(b) was in the holding cells area, she knew that there were officers around, but she could not see them. She waited in a line at the stationhouse to be processed initially. She did not remember any officer offering her medical attention. She asked for something to stem the bleeding on her right pinky as she was being fingerprinted because she was bleeding on the fingerprinting machine. §87(2)(b) specify who she asked for medical attention and did not indicate whether anyone assisted her. stated (BR 24) that he only heard Captain Taylor say, "Get her." \$87(2)(b) knew that § 87(2)(b) went to the ground, but he was not entirely sure of how he learned that. § 87(2)(b) s phone was knocked from his hands. He saw it later on the curb, after he was handcuffed. §87(2)(b) asked the officers to get it for him. It looked as if the screen was smashed, but a screen protector was broken. At an unspecified time, an unidentified officer approached § 87(2)(b) with a baton and may have "jabbed" him with it, but he did not remember. \$87(2)(b) stated this officer was perhaps female but did not remember. § 87(2)(b) and § 87(2)(b) were driven to the 7th Precinct stationhouse in Manhattan. § 87(2)(b) and § 87(2)(b) were placed in adjacent cells after they waited to asked for someone to look at her left pinky finger which be processed in a line. § 87(2)(b) was bleeding and "banged up." Her leg may also have been bleeding. § 87(2)(b) did not remember who, if anyone specific, she asked. § 87(2)(b) and § 87(2)(b) were released at around 5:00 a.m. Body-worn camera footage PO Krasniqi's body-worn camera footage (BR 18; video, BR 22; summary) shows in front of PO Krasnigi starting at the beginning of the video. At 40:00 seconds, when Captain Taylor begins to grab \$87(2)(b) approximately when the discourtesy "Fucking grab her," was alleged, there is no audio yet at this point. PO Krasniqi's attention turns to and § 87(2)(b) is no longer in the frame, therefore the video does not capture to the ground. From this point until the end of the video, the officers taking § 87(2)(b) footage does not capture any officer jabbing or striking \$87(2)(b) with a baton. The footage does not capture \$87(2)(b) s cellphone on the ground or any officer stepping on it. The video ends with § 87(2)(b) and § 87(2)(b) entering the prisoner van. There is no footage of at the 7th Precinct stationhouse. None of the other body-worn camera videos depict this portion of the incident. Other video reviewed The video downloaded from Twitter (BR 02; video and BR 10; summary) opens with standing very close to PO Krasniqi. §87(2)(b) is screaming profanities at the officers for telling her to back up. §87(2)(b) takes two steps closer to PO Krasniqi and says, "Or fucking what?" as Captain Taylor grabs her. \$87(2)(6) then steps in front of starts to scream, "Dad." As officers and is grabbed by officers. § 87(2)(b) goes out of sight and the video ends. This video does not form a line around her. § 87(2)(b) depict what happens to § 87(2)(b) after she goes behind the line of officers. The video downloaded from § 87(2)(b) s Twitter page (**BR 01**: *video* and **BR 10**: summary) opens with § 87(2)(b) standing in front of PO Krasniqi. PO Krasniqi appears to



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	g machine. PO Nova did ot ask PO Nova for medi		sking for medical attention
 This party PO K addit C Capta 	is the first CCRB complate (BR 37 and BR 38). Crasniqi has been a membional CCRB complaints at the second and a second area of the second and a second area of the s	and Officer CCRB Histories and to which \$87(2)(b) are of service for 11 years and national four allegations none of which and 12 allegations, three of which substantiated allegations of a discount of the di	named a subject in four h were substantiated. courteous action, a
• \$87(2)(b) future or fut deter. • \$87(2)(b) emot future deter.	Mediate complaint was not suitable emotional and physical ture medical expenses, armined by a jury as redressional and physical pain at emedical expenses, and emined by a jury as redressional of the order of the o	ion, Civil, and Criminal Historile for mediation. Ice of Claim with the City of New pain and suffering, loss of past of ad other economic damages and its (BR 39). I Claim with the City of New Yound suffering, loss of past or futurother economic damages and see	w York claiming past and or future income and for past seeking damages to be rk claiming past and future re income and for past or sking damages to be k City Office of the message was left.
Squad No.:	11		1/10/2020
Investigator:	Kelly Lyon Signature	Inv. Kelly Lyon Print Title & Name	1/12/2022 Date
Squad Leader	r: Edwin Pena Signature	IM Edwin Pena Print Title & Name	01/12/2022 Date

Reviewer:			
	Signature	Print Title & Name	Date